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OFFICE OF THE ATTORNEY GENERAL COURTS & JUDICIAL AFFAIRS DIVISION

June 6, 2014

The Honorable Joseph R. Goodwin
U.S. District Court of West Virginia
Southern District
300 Virginia Street, Room 7009
Charleston, WV 25301

Re: *Sumner v. Maryland Judiciary/District of Maryland, et al.*
Case No. 1:13-cv-00539

Dear Judge Goodwin:

We are writing to clarify the basis of our request for a referral to a Maryland federal magistrate consistent with Local Rule 607 ("Alternative Dispute Resolution" or "ADR") and to renew that request.

This Rule offers parties in civil cases mediation by a magistrate judge as a member of the Court's "panel of neutrals" (comprised exclusively of magistrate judges). We note further that "[a]ll [civil] litigants" are *required* to "consider using the ADR process provided by the Court at an appropriate stage in the litigation," LR 607.2, and attendance at "each settlement conference held by the Court" is mandatory. LR 607.3. The Court's long-standing encouragement and support of this program reflects the importance of mediation and settlement within the community and the vital role this program plays in court management. Moreover, we are aware of no group of mediators more experienced in the law governing this case than this expert panel of neutrals.

Further, to avoid the unnecessary expenditure of public funds, it is the policy of the State of Maryland to use court provided mediation whenever possible, including federal court. In our experience, there has been no need to resort to mediators outside the court-designated "panel of neutrals."

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The parties also waive any objections they might otherwise raise to any conflict that could arise from mediation conducted in accordance with LR 607 by magistrate judges within the District Court of Maryland.

Thank you for your consideration in this matter.

Very truly yours,


Gerardine M. Delambo
Counsel for Plaintiff


Michele J. McDonald
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Counsel for Defendants